

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAROL ANN READY,

Plaintiff,

vs.

DAILY HARVEST, INC.,

Defendant.

Case No.: 1:22-cv-05385

**NOTICE OF NON-OPPOSITION TO
DEFENDANT DAILY HARVEST, INC.'S
MOTION TO COMPEL ARBITRATION
AND STAY PROCEEDINGS**

PLEASE TAKE NOTICE that there has been no opposition to the motion filed by Defendant Daily Harvest, Inc. (“Daily Harvest”) on July 7, 2022, seeking to compel Plaintiff Carol Ann Ready to arbitrate her claims pursuant to the contract in place between Daily Harvest and Ms. Ready. *See* Dkt. Nos. 9-12. Pursuant to Local Civil Rule 6.1(b), any opposition to Daily Harvest’s motion was due within 14 days after service of the moving papers. Although Ms. Ready filed a First Amended Complaint on July 14 that added several “John Doe Corporations” to her lawsuit (*see* Dkt. No. 18), and sought leave on July 15 to file a Second Amended Complaint that would name a particular corporation as an additional defendant (*see* Dkt. No. 19), neither of these amendments change even a single word of Ms. Ready’s claims against Daily Harvest. Her amendments should neither extend Ms. Ready’s time to respond to Daily Harvest’s motion nor require Daily Harvest to re-file its motion. In that Daily Harvest’s motion is well-founded and Ms. Ready did not oppose it within the time frame contemplated by the Local Rules, Daily Harvest submits that the Court should grant the motion in its entirety.

July 28, 2022
New York, New York

Respectfully Submitted,

FAEGRE DRINKER BIDDLE & REATH LLP

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